WINSTON & STRAWN DOCKET NO.: 88265-74701

ARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below name that the same, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

PACKAGED DECORATED FROZEN CONFECTION AND METHOD OF MANUFACTURE

| | on: les amendment(s) filed on es on as Application No | | on not accompanyin | _ (if applicable) ag application) with |
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| was filed as PCT internation | nal Application No. | (ij applicable) on | | and was amended |
| under PCT Article 19 on | | | (if appl | icable) |
| I hereby state that I have revi amended by any amendment re | ewed and understand the conter ferred to above. | nts of the above identi | ified application, i | ncluding the claims, as |
| I acknowledge the duty to discl Regulations, § 1.56. | ose information known to me to l | pe material to patentabi | lity as defined in T | itle 37, Code of Federal |
| inventor's certificate listed belo | benefits under Title 35, United St w and have also identified below pplication on which priority is cla | any foreign applicatio | | |
| EARLIEST FOREIGN AF | PPLICATION(S), IF ANY, FILE | O PRIOR TO THE FIL | ING DATE OF TH | IE APPLICATION |
| APPLICATION NUMBER | COUNTRY | DATE OF FILL (day, month, ye | ואט | ORITY CLAIMED |
| | | | ⊠ YE | S 🗆 NO |
| | | | ☐ YE | S 🗆 NO |
| I hereby claim the benefit und below. | ler Title 35, United States Code | , § 119(e) of any Unit | ed States provision | nal application(s) listed |
| PROVISIONAL APP | LICATION NUMBER | | FILING DATE | |
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| as the subject matter of each of provided by the first paragraph me which is material to patenta | r Title 35, United States Code, § the claims of this application is of Title 35, United States Code bility as defined in Title 37, Code cation and the national or PCT integrals. | not disclosed in the pri § 112, I acknowledge e of Federal Regulation | or United States ap the duty to disclose is, § 1.56 which be | pplication in the manner e information known to |
| NON-PROVISIONAL | FILING DATE | DATENTER | STATUS | I ARANDONES |
| APPLICATION NO. 10/385,177 | March 10, .2003 | PATENTED | PENDING X | ABANDONED |
| | | | A | |

^{*} for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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|-----|--------------------------|----------------------------------|--|---------------------------------------|-----------|
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | INVENTOR | LEAS | Alain | | |
| 0 | RESIDENCE & | СПТУ | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZET | NSHIP |
| U | CITIZENSHIP | Dublin | ОН | Belgium | |
| 1 | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| _ | ADDRESS | 5927, St. Fillans Court | Dublin | COUNTRY | 43017 |
| | | | | ОН | |
| · | | SIGNATURE OF Alain LEAS | | DATE | |
| | | | | 2 101 | - 1. |
| | | 2 | | 3.19. | 04 |
| | | | | | |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | INVENTOR | MASTNY | Jonathan | David | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | ISHIP |
| 0 - | CITIZENSHIP | Dublin | ОН | USA | |
| 2 | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| 2 | ADDRESS | 3700 Monahan Lane | Dublin | COUNTRY | 43017 |
| ĺ | | | | ОН | 1 |
| | | SIGNATURE OF Jonathan David MA | STNY | DATE | <u></u> . |
| | | | | | |
| | | | | | |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | INVENTOR | KRUIK | Adrianus | Cornelis | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | SHIP |
| 0 | CITIZENSHIP | EH Bergeijk | Netherlands | The Netherlan | ds |
| | | STREET | CITY | STATE OR | ZIP CODE |
| 3 | POST OFFICE ADDRESS | Pastoorshof 11 | EH Bergeijk | COUNTRY" | NL - 5571 |
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| | | SIGNATURE OF Adrianus Cornelis k | KUIK | DATE | |
| | | | | | |
| | | | | } | |
| Т | EU L MANCE OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | FULL NAME OF INVENTOR | MAZUREK | Robert | John | |
| ۱ ۱ | | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | CHID |
| 0 | RESIDENCE & | | | İ | JIMF |
| ļ | CITIZENSHIP | Columbus | Ohio | USA | |
| 4 | POST OFFICE | STREET | CITY | STATE OR COUNTRY | ZIP CODE |
| ļ | ADDRESS | 1648 Gables Court | Columbus | | 43235 |
| l | | | | Ohio | |
| | | SIGNATURE OF Robert John MAZL | PREK | DATE | |
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| | | Relt Joh ma | | Mar 19, | 2004 |
| | | | L | 1. 10. | |

WINSTON & STRAWN DOCKET NO.: 88265-74701

| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
|---|-------------------------|--|--------------------------|--------------------|----------|
| 2 | INVENTOR | GRYKIEWICZ | Shirdan | Joseph | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | ISHIP |
| 0 | CITIZENSHIP | Johnstown, | Ohio | USA | |
| 5 | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | 6, Westview Drive | Johnstown, | COUNTRY | 43031 |
| | | | | Ohio | |
| | | SIGNATURE OF Shirdan Joseph GRYKIEWICZ | | DATE | |
| | Ahridan Joseph Chaining | | | 18 MAR | 2004 |

NY:848089.1

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

PACKAGED DECORATED FROZEN CONFECTION AND METHOD OF MANUFACTURE

| is attached hereto and includes a | mendment(s) filed on | | | oplicable) |
|---|---|--|------------------------------------|---|
| was filed in the United States on | as Application No | (declaration not acc | companying app | lication) with |
| amendment(s) filed on was filed as PCT international A | nnlication No | (if applicable) | am | d was amended |
| under PCT Article 19 on | | OII | anan (if applicable | |
| | | | | |
| I hereby state that I have reviewe amended by any amendment referre | | ents of the above identified app | lication, includi | ng the claims, as |
| I acknowledge the duty to disclose Regulations, § 1.56. | information known to me to | be material to patentability as de | fined in Title 37 | , Code of Federal |
| I hereby claim foreign priority bene inventor's certificate listed below as a filing date before that of the applic | nd have also identified belov | w any foreign application for pate | oreign application | on(s) for patent or certificate having |
| EARLIEST FOREIGN APPLI | CATION(S), IF ANY, FILE | D PRIOR TO THE FILING DA | TE OF THE AP | PLICATION |
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED | |
| | | | | □ NO |
| | | | ☐ YES | □ NO |
| I hereby claim the benefit under I below. | Γitle 35, United States Cod | e, § 119(e) of any United States | s provisional ap | plication(s) listed |
| PROVISIONAL APPLIC | ATION NUMBER | FILIN | G DATE | |
| | | | | |
| I hereby claim the benefit under Ti as the subject matter of each of the provided by the first paragraph of me which is material to patentabilit | claims of this application is Title 35, United States Code | not disclosed in the prior United § 112, I acknowledge the duty | d States applicat to disclose info | ion in the manner |

| NON-PROVISIONAL | FILING DATE | STATUS | | | |
|-----------------|-----------------|-----------|---------|-----------|--|
| APPLICATION NO. | TIEMO DATE | PATENTED- | PENDING | ABANDONED | |
| 10/385,177 | March 10, .2003 | | x | | |
| | | | | | |

^{*} for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
|---|--------------|--------------------------------|--------------------------|--------------------|--------------|
| 2 | INVENTOR | LEAS | Alain | | |
| , | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | SHIP |
| | CITIZENSHIP | Dublin | ОН | Belgium | |
| | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | 5927, St. Fillans Court | Dublin | COUNTRY | 43017 |
| | | | | ОН | |
| | | SIGNATURE OF Alain LEAS | | DATE | |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | INVENTOR | MASTNY | Jonathan | David | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | SHIP |
| | CITIZENSHIP | Dublin | ОН | USA | |
| | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | 3700 Monahan Lane | Dublin | COUNTRY | 43017 |
| | | C. CO IIZOMMAN AMINO | 2401111 | ОН | 15017 |
| | L | SIGNATURE OF Jonathan David N | 1ASTNY | DATE | <u> </u> |
| | | Jonath Marty | | 3/17/00 | ſ |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| | INVENTOR | KRUIK | Adrianus | Cornelis | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | SHIP |
| | CITIZENSHIP | EH Bergeijk | Netherlands | The Netherlan | ds |
| | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | Pastoorshof 11 | EH Bergeijk | COUNTRY" | NL - 5571 |
| | | | | Netherlands | |
| | | SIGNATURE OF Adrianus Cornelis | s KRUIK | DATE | |
| | | | | | |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | . |
| | INVENTOR | MAZUREK | Robert | John | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | SHIP |
| | CITIZENSHIP | Columbus | Ohio | USA | |
| | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | 1648 Gables Court | Columbus | COUNTRY | 43235 |
| | | | | Ohio | |
| | | SIGNATURE OF Robert John MA | ZUREK | DATE | |
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| 2 | FULL NAME OF INVENTOR | GRYKIEWICZ | FIRST NAME Shirdan | Joseph | |
|---|-------------------------|--|--------------------------------|------------------------|-------------------|
| 0 | RESIDENCE & CITIZENSHIP | CITY Johnstown, | STATE OR FOREIGN COUNTRY Ohio | COUNTRY OF CITIZEN USA | SHIP |
| 5 | POST OFFICE ADDRESS | 6, Westview Drive | Johnstown, | STATE OR COUNTRY Ohio | ZIP CODE 43031 |
| | | SIGNATURE OF Shirdan Joseph GRYKIEWICZ | | DATE | |

NY:848089.1

WINSTON & STRAWN DOCKET NO.: 88265-74701



As a below named inventor, RAPA declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

PACKAGED DECORATED FROZEN CONFECTION AND METHOD OF MANUFACTURE

| and for which a patent applicatio ☑ is attached hereto and include | | | (if a | oplicable) |
|---|--------------------------------|--------------------------------------|----------------------|---------------------|
| is attached hereto and include was filed in the United States amendment(s) filed on | on as Application No. | (declaration not ac | companying app | lication) with |
| □ was filed in the United States amendment(s) filed on □ was filed as PCT internationa under PCT Article 19 on | l Application No. | on | an (if applicable | d was amended) |
| I hereby state that I have revie amended by any amendment refe | wed and understand the conter | | | |
| I acknowledge the duty to disclo Regulations, § 1.56. | se information known to me to | be material to patentability as de | efined in Title 37 | , Code of Federal |
| I hereby claim foreign priority be inventor's certificate listed below a filing date before that of the ap | and have also identified below | any foreign application for pat | | |
| EARLIEST FOREIGN API | PLICATION(S), IF ANY, FILE | D PRIOR TO THE FILING DA | TE OF THE API | PLICATION |
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORIT | Y CLAIMED |
| | | | ⊠ YES | □ NO |
| | | | ☐ YES | □ NO |
| I hereby claim the benefit unde below. | r Title 35, United States Code | e, § 119(e) of any United State | s provisional ap | plication(s) listed |
| PROVISIONAL APPLICATION NUMBER | | FILIN | G DATE | |
| I hereby claim the benefit under | Title 35 United States Code & | 120 of any United States appli | cation(s) listed b | alow and insofar |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL | FILING DATE | STATUS | | |
|-----------------|-----------------|----------|---------|-----------|
| APPLICATION NO. | FILING DATE | PATENTED | PENDING | ABANDONED |
| 10/385,177 | March 10, .2003 | | x | |
| | | | | |

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| nat . | | ements may jeopardize the validity LAST NAME | FIRST NAME | MIDDLE NAME | |
|-------|--------------------------|---|--------------------------|--------------------|-------------|
| 2 | FULL NAME OF INVENTOR | LEAS | Alain | MIDDELIVAME | |
| 2 | | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | icuin |
| 0 | RESIDENCE & CITIZENSHIP | Dublin | OH | Belgium | ionir |
| | | STREET | CITY | STATE OR | ZIP CODE |
| 1 | POST OFFICE ADDRESS | 5927, St. Fillans Court | Dublin | COUNTRY | 43017 |
| | ADDRESS | 3927, St. Finans Court | Dubin | ОН | 43017 |
| | | SIGNATURE OF Alain LEAS | | DATE | |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | INVENTOR | MASTNY | Jonathan | David | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | ISHIP |
|) | CITIZENSHIP | Dublin | ОН | USA | |
| | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| 2 | ADDRESS | 3700 Monahan Lane | Dublin | COUNTRY | 43017 |
| | | | | ОН | |
| | | SIGNATURE OF Jonathan David | MASTNY | DATE | <u> </u> |
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| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | INVENTOR | KRUIK | Adrianus | Cornelis | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | ISHIP |
|) | CITIZENSHIP | EH Bergeijk | Netherlands | The Netherlan | ıds |
| } | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | Pastoorshof 11 | EH Bergeijk | COUNTRY" | NL - 5571 |
| | | | | Netherlands | |
| | | SIGNATURE OF Adrianus Cornel | io KRUNK | DATE | |
| | | | | 28-63. | -2004 |
| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
| 2 | INVENTOR | MAZUREK | Robert | John | |
|) | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | ISHIP |
| , | CITIZENSHIP | Columbus | Ohio | USA | |
| ļ | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | 1648 Gables Court | Columbus | COUNTRY | 43235 |
| | | | | Ohio | |
| | | SIGNATURE OF Robert John MA | AZUREK | DATE | |
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| | FULL NAME OF | LAST NAME | FIRST NAME | MIDDLE NAME | |
|---|--|-------------------|--------------------------|--------------------|----------|
| 2 | INVENTOR | GRYKIEWICZ | Shirdan | Joseph | |
| | RESIDENCE & | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZEN | SHIP |
| 0 | CITIZENSHIP | Johnstown, | Ohio | USA | |
| 5 | POST OFFICE | STREET | CITY | STATE OR | ZIP CODE |
| | ADDRESS | 6, Westview Drive | Johnstown, | COUNTRY | 43031 |
| | | | | Ohio | |
| | SIGNATURE OF Shirdan Joseph GRYKIEWICZ | | YKIEWICZ | DATE | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

lication of: Alain LEAS et al.

Confirmation No. 4476

Application No.: 10/797,373

Group Art Unit: 1761

Filed: March 9, 2004

Examiner:

For: PACKAGED DECORATED FROZEN

Attorney Docket No.: 88265-74701

CONFECTION AND METHOD OF

MANUFACTURE

POWER OF ATTORNEY STATEMENT UNDER 37 CFR 3.73(b)

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

As shown by the attached copy of POWER OF ATTORNEY TO PROSECUTE APPLICATION BEFORE THE USPTO, the undersigned attorney of WINSTON & STRAWN LLP (Customer No. 28765) has been appointed to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

An assignment of the entire interest in the above-identified subject application:

| \boxtimes | is submitted herewith for recording and a copy is attached. | | | | | |
|-------------|---|---------------|-------------|--|--|--|
| | was submitted for recordation on | and a copy is | s attached. | | | |
| | was recorded on | at Reel | , Frame | | | |

The undersigned attorney has reviewed this assignment and, to the best of his/her knowledge, and belief, the application is owned by the Assignee NESTEC S.A. and that he/she is empowered and authorized to act on their behalf..

Please direct all correspondence for this application to Customer No. 28765 to the attention of Patent Department (telephone 202-371-5904, facsimile 202-371-5950).

Respectfully submitted,

Date: 6 4 04

Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN CUSTOMER NO. 28765

Enclosures

(212) 294-3311

PTO/SB/80 (12-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
for Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

| Practitioners associated with the Customer Number: OR Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used): Name Registration Number Registration Number Registration Number Name Registration Number Name Registration Number Registration Number Name Registration Number Registration Num | i herel | by appoint: | | | |
|--|---|---|----------------------------|------------------|--------------------------|
| Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used): Name | ı — | | 2876 | 35 | |
| as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b). Assignee Name and Address: Nestec S.A. Avenue Nestlé 55 CH-1800 Vevey Switzerland A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filled in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filled. SIGNATURE of Assignee of Record The individual whose signature and title is supplied below is authorized to act on behalf of the assignee Paula Nelson Date Date 24 02 04 | OF | ₹ | <u> </u> | | |
| as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b). Assignee Name and Address: Nestec S.A. Avenue Nestlé 55 CH-1800 Vevey Switzerland A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed. SIGNATURE of Assignee of Record The individual whose signature and title is supplied below is authorized to act on behalf of the assignee Paula Nelson Date 24 02 04 | P | ractitioner(s) named below (if more than ten patent prac | titioners are to be named, | then a custome | er number must be used): |
| A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the application in which this Form is used. The statement under 37 CFR 3.73(b) authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed. SIGNATURE of Assignee of Record The individual whose signature and title is supplied below is authorized to act on behalf of the assignee. Name Paula Nelson Date 24.02.04 Title | ۱۲ | Name | | Registration | n Number |
| A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the application in which this Form is used. The statement under 37 CFR 3.73(b) authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed. SIGNATURE of Assignee of Record The individual whose signature and title is supplied below is authorized to act on behalf of the assignee. Name Paula Nelson Date 24.02.04 Title | | | | | |
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| Nestec S.A. Avenue Nestlé 55 CH-1800 Vevey Switzerland A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed. SIGNATURE of Assignee of Record The individual whose signature and title is supplied below is authorized to act on behalf of the assignee Name Paula Nelson Signature Date 24.02.04 | any and all patent applications assigned only to the undersigned according to the LISPTO assignment records or assignment documents | | | | |
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| Signature Date 24.02.04 | _ | SIGNATURE The individual whose signature and title is sup | of Assignee of Record | l to act on beha | alf of the assignee |
| Signature Falls Date 24.02.04 Title | Name | Paula Nelson | | | |
| Title | | | - | Date | 24.02.04 |
| | Title | Vice President | | Telephone | |

SEND TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

ASSIGNMENT

WHEREAS, each of

Alain LEAS, a citizen of Belgium, residing at, 5927 St. Fillans Court, Dublin, Ohio, 43017;

Jonathan David MASTNY, a citizen of the United States, residing at, 3700 Monahan Lane, Dublin, Ohio 43016;

Adrianus Cornelis KRUIK, a citizen of the Netherlands, residing at, Pastoorshof 11 NL - 5571 EH Bergeijk, Netherlands;

Robert John MAZUREK, a citizen of the United States, residing at, 1648 Gables Court, Columbus, Ohio, 43235; and

Shirdan Joseph GRYKIEWICZ, a citizen of the United States, residing at, 6, Westview Drive, Johnstown, Ohio, 43031.

ASSIGNOR, is an inventor of the invention in PACKAGED DECORATED FROZEN CONFECTION AND METHOD OF MANUFACTURE, for which an application for a Patent of the United States, identified by Winston & Strawn Docket No. 88265-74701

| \boxtimes | is executed on e | ven date herewith | |
|-------------|------------------|-------------------|--|
| | was filed on | as Application No | |

WHEREAS, NESTEC S.A., a Swiss corporate body having a place of business at Avenue Nestlé 55, 1800 Vevey, Switzerland, ASSIGNEE, is desirous of obtaining each inventor's entire right, title and interest in, to and under the said invention and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each inventor in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its' successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries other than the United

States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

| Date | | Alain LEAS |
|---|-------------------------------|---|
| STATE OF |) | |
| COUNTY OF |) | |
| On this day of _ appeared Alain LEAS , to me k signed the foregoing instrument | nown and | , 2004, before me, Witness, personally known to me to be the person of that name, who owledged the same to be his/her free act and deed. |
| | | Witness |
| Date | | Jonathan David MASTNY |
| STATE OF |) | |
| COUNTY OF |) | |
| appeared Jonathan David MA | $\mathbf{STNY}, \mathbf{to}:$ | , 2004, before me, Witness, personally me known and known to me to be the person of that and acknowledged the same to be his/her free act |
| | | Witness |

| 28-03-2004 | _ | |
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| Date | | Adrianus Cornelis KRUIK |
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| appeared Adrianus Cornelis KRU | IK, to r | , 2004, before me, Witness, personally me known and known to me to be the person of ment and acknowledged the same to be his/her free |
| | | Witness |
| Date | _ | Robert John MAZUREK |
| STATE OF |) | |
| COUNTY OF |) | |
| appeared Robert John MAZUREK | , to me | , 2004, before me, Witness, personally known and known to me to be the person of that and acknowledged the same to be his/her free act |
| | | Witness |
| Date | _ | Shirdan Joseph GRYKIEWICZ |
| STATE OF |) | |
| COUNTY OF On this day of appeared Shirdan Joseph GRYKII |)) EWICZ | , 2004, before me, Witness, personally L, to me known and known to me to be the person |
| of that name, who signed the foregonere act and deed. | ing inst | rument and acknowledged the same to be his/her |
| | | Witness |

ASSIGNMENT

WHEREAS, each of

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ASSIGNOR, is an inventor of the invention in PACKAGED DECORATED FROZEN CONFECTION AND METHOD OF MANUFACTURE, for which an application for a Patent of the United States, identified by Winston & Strawn Docket No. 88265-74701

| \boxtimes | is executed on even date herewith | | |
|-------------|-----------------------------------|-------------------|--|
| | was filed on | as Application No | |

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NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each inventor in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries other than the United

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In witness whereof, each inventor has affixed his or her signature.

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| 03-19-04 | | |
| Date | · | Alain LEAS |
| STATE OF |) | |
| COUNTY OF |) | |
| appeared Main DEAD, to me kin | wii aliu k | , 2004, before me, Witness, personally nown to me to be the person of that name, who wledged the same to be his/her free act and deed. Witness |
| Date | | Jonathan David MASTNY |
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| COUNTY OF |) | |
| On this day of appeared Jonathan David MAST name, who signed the foregoing in and deed. | NY, to m | , 2004, before me, Witness, personally are known and known to me to be the person of that and acknowledged the same to be his/her free act |
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| Date | Adrianus Cornelis KRUIK |
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| appeared Adrianus Cornelis KRUIK, to | , 2004, before me, Witness, personally me known and known to me to be the person of ament and acknowledged the same to be his/her free |
| | Witness |
| Mar 19, 2004 Date | Robert John MAZUREK |
| STATE OF Chio) COUNTY OF Union) | |
| appeared Robert John MAZUREK, to me | , 2004, before me, Witness, personally e known and known to me to be the person of that t and acknowledged the same to be his/her free act |
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| 18 MAR 2004 | Shirdan Joseph & Spain Shirdan Joseph GRYKIEWICZ |
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| | Witness Viela |

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In witness whereof, each inventor has affixed his or her signature.

| Date | | | Alain LEAS |
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| COUNTY OF | |) | |
| appeared Alain L | EAS, to me know | wn and k | , 2004, before me, Witness, personally known to me to be the person of that name, who wledged the same to be his/her free act and deed. |
| | | | Witness |
| | y | | Jonathan David MASTNY |
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| appeared Jonatha | in David MASI | IN X, to r | , 2004, before me, Witness, personally me known and known to me to be the person of that t and acknowledged the same to be his/her free act |

| Date | | Adrianus Cornelis KRUIK | |
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| appeared Adrianus | Cornelis KRUIK, | , 2004, before me, Witness, personally o me known and known to me to be the person of rument and acknowledged the same to be his/her free | |
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| appeared Robert Jol | hn MAZUREK , to | , 2004, before me, Witness, personally ome known and known to me to be the person of that nent and acknowledged the same to be his/her free act | |
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| Date | | Shirdan Joseph GRYKIEWICZ | |
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